

---

Introduced by Senator Lieu

February 22, 2013

---

An act to amend Section 1094 of the Unemployment Insurance Code, relating to unemployment insurance.

LEGISLATIVE COUNSEL'S DIGEST

SB 558, as amended, Lieu. Unemployment insurance: Employment Development Department: *Department*.

Under existing law, information obtained by the Employment Development Department in the administration of unemployment insurance laws is confidential, subject to specified exceptions, including ~~that authorizing an employee or the employee's representative may to receive his or her the employee's wage information upon his or her the employee's written request.~~

This bill would ~~delete the requirement that the employee's request to receive his or her wage information be in writing~~ *authorize an employee to make that request in a form other than writing if permitted by the Director of Employment Development.*

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 1094 of the Unemployment Insurance
- 2 Code is amended to read:
- 3 1094. (a) Except as otherwise specifically provided in this
- 4 code, the information obtained in the administration of this code

1 is confidential, not open to the public, and shall be for the exclusive  
2 use and information of the director in *the* discharge of his or her  
3 duties.

4 (b) The information released to authorized entities pursuant to  
5 other provisions of the code shall not be admissible in evidence  
6 in any action or special proceeding, other than one arising out of  
7 the provisions of this code or one described in Section 1095.

8 (c) The information may be tabulated and published in statistical  
9 form for use by federal, state, and local governmental departments  
10 and agencies, and the public, except that the name of the employing  
11 unit or of any worker shall never be divulged in the course of the  
12 tabulation or publication.

13 (d) Wages, as defined by Section 13009, and amounts required  
14 to be deducted and withheld under Section 13020 shall not be  
15 disclosed except as provided in Article 2 (commencing with  
16 Section 19542) of Chapter 7 of Part 10.2 of Division 2 of the  
17 Revenue and Taxation Code.

18 (e) ~~Any~~ An employee or his or her representative may receive  
19 the employee's wage information upon *written* request by the  
20 employee. *An employee may make that request in a form other*  
21 *than writing if permitted by the director.* The information shall be  
22 provided without charge.

23 (f) ~~Any~~ A person who knowingly accesses, uses, or discloses  
24 any confidential information without authorization is in violation  
25 of this section and is guilty of a misdemeanor.